

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLES L. FREEZE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL NO. 1:05CV00551
)	
DR. CAROL MOST LEVIN; UNITED)	
STATES ATTORNEY; VA MEDICAL)	
CENTER; and ALBERTO GONZALES,)	
)	
Defendants.)	

ORDER and JUDGMENT

BULLOCK, District Judge

Plaintiff, a frequent pro se litigant in this court, filed a complaint alleging that the Defendants negligently failed to provide adequate medical care to him at the Veterans Administration Hospital in Salisbury, North Carolina. Plaintiff has also notified the court that he intended to file only one lawsuit making this claim. In a judgment entered on September 15, 2005, in Case 1:05CV00674, Plaintiff's complaint was dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). That case involved the same allegations against the same defendant as in this case. In addition to Plaintiff's admission that he intended to file only one lawsuit, res judicata principles preclude subsequent litigation on matters actually and necessarily resolved in the first adjudication. In re Varat Enters., Inc., 81 F.3d 1310, 1314-15 (4th Cir. 1996).

NOW, THEREFORE, IT IS ORDERED AND ADJUDGED that this action
is **DISMISSED** with prejudice.


United States District Judge

October 4, 2005